

## **Exhibit B**

### Dartmouth Case Article

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## ‘A bit Kafkaesque’: Federal judge spars with government lawyer over status of Dartmouth international student



Dartmouth College Ph.D. student Xiaotian Liu addresses reporters following hearing in New Hampshire's federal court on Tuesday, surrounded by lawyers Ronald Abramson (left) and Gilles Bissonnette. JEREMY MARGOLIN

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By [JEREMY MARGOLIS](#)

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A federal judge characterized a Trump administration lawyer's refusal to confirm basic information about the legal status of a Dartmouth College international student as "a bit Kafkaesque" during a lengthy court hearing Tuesday.

For more than an hour, Judge Samantha Elliott peppered attorney Glenn Girdharry with questions about the F-1 student status of Ph.D. student Xiaotian Liu but repeatedly expressed frustration with the incompleteness of his answers.

"The government is arguing that [Liu's] status has not been terminated but the government is not willing to submit a declaration or stipulation that the status has not been terminated," Elliott said, exasperated.

The hearing in the case – which is one of several across the country that challenge the termination of international students' records in a database called the Student and Exchange Visitor Information System, or SEVIS – highlights the confusion that has pervaded the wave of terminations that have occurred in recent months.

Lawyers for Liu, who is from China, have asked Elliott to extend an earlier order she issued requiring the government to reinstate his F-1 status if it had been terminated, which would allow him to continue pursuing his graduate coursework. Elliott agreed Tuesday to extend the order until the end of the week while she crafts a more lasting decision in the case.

Liu, who is from China, is one of [an estimated 4,700 students](#) who have had their records in SEVIS, which was created in the wake of 9-11 to better track international students and other visitors, terminated since Donald Trump became president. Many of those who have come forward publicly have, like Liu, said they were given no explanation and have not violated any of the regulations that would ordinarily trigger a status change.

Much of the hearing hinged on whether the federal government had in fact terminated Liu's legal status in the first place. Girdharry repeatedly contended that Liu's F-1 status remained intact and only his SEVIS record – which is related to student status but distinct from it – had been terminated. But when Elliott asked Girdharry to confirm in writing what he was saying in court, he declined, without providing an explanation.

Trying another tact, Elliott asked directly why Liu's SEVIS record – which indicated “Individual identified in criminal records check and/or has had their VISA revoked” – had been terminated.

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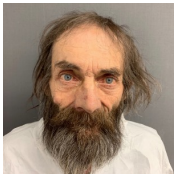
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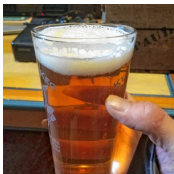
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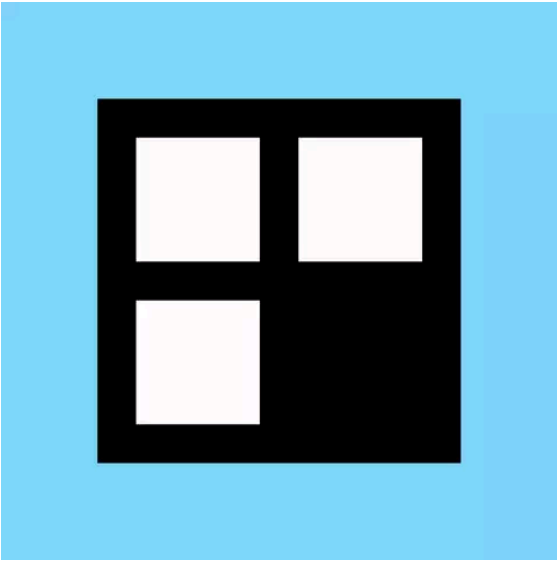


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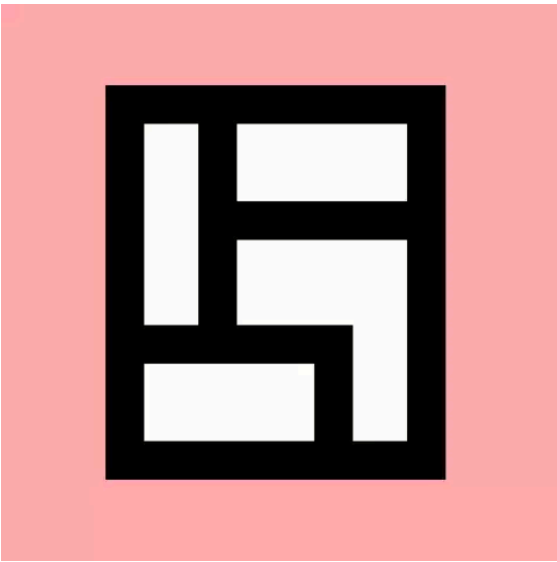


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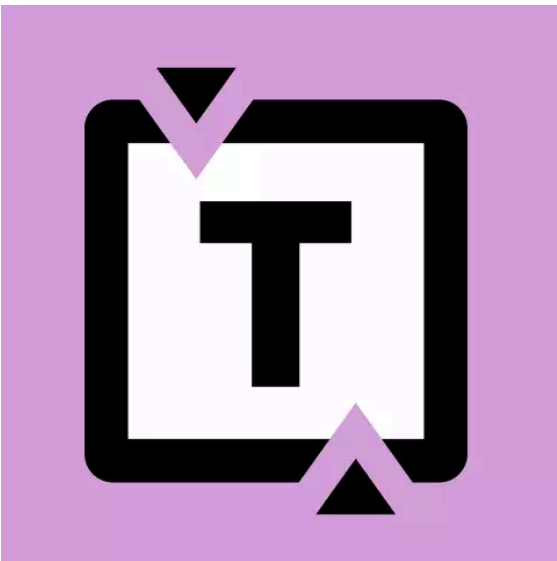
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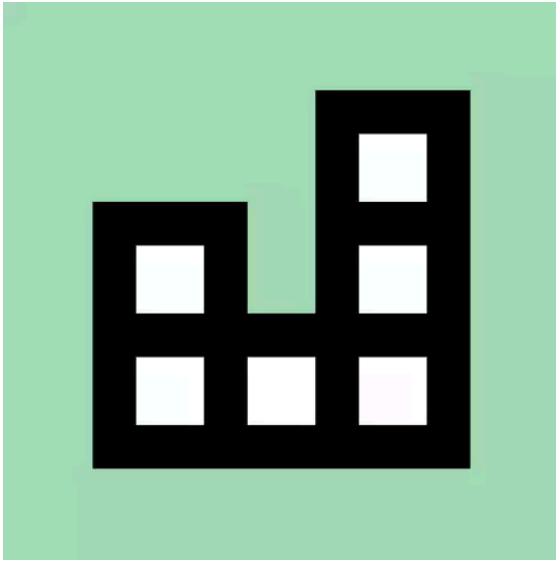


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“They terminated his record based on the records check and finding that he had a hit in the records check,” Girdharry said, apparently referring to an issue with Liu’s visa in 2021 that was not criminal. Girdharry did not elaborate and declined to comment following the hearing.

SangYeob Kim, a lawyer for Liu, argued that it would be “unreasonable and illogical” to conclude his F-1 status remained unaltered based upon the message in the SEVIS system.

“It makes no logical sense for Dartmouth to think that his status wasn’t terminated when the notation actually says that,” Kim told Elliott.

Attorney Gilles Bissonnette, the legal director of the New Hampshire chapter of the American Civil Liberties Union, which is representing Liu, said he suspected the federal government was being so adamant about the student status issue because if it had in fact been revoked, the government would have violated certain laws.

“The regulations state very clearly that if you are going to terminate someone’s student status, certain criteria have to be met,” Bissonnette said during a press conference following the hearing.

Those criteria include conviction of a serious crime, lying to the Department of Homeland Security, or engaging in unauthorized work, according to Bissonnette.

“We know in Mr. Liu’s case, and in the case of hundreds, if not thousands, of other individuals, that none of that criteria has ever been met,” Bissonnette said.

“The government here dropped a grenade on colleges and universities in early April throughout the United States,” Bissonnette said. “And we know what the motivation was because they reflected it on the SEVIS records themselves: it was to terminate student status.”

Liu, who was able to resume the second year of his doctoral program in computer science following Elliott’s temporary order two weeks ago, was present in the courtroom in Concord on Tuesday and expressed optimism about his case.

“It is of course scary to even consider that my research and my studies here at Dartmouth may be suspended, but it is my hope that I can continue my research and complete my Ph.D. here at Dartmouth,” Liu said in a brief statement.

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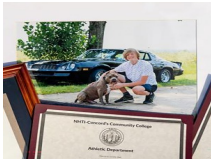
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